

ORIGINAL
IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH T. KUBICKI, on own :
behalf and as a parent and :
natural guardian on behalf of :
minor, Joseph Kubicki :

AND :

JOSEPH KUBICKI, a minor :
Plaintiffs :

VS. :

POLICE OFFICERS RICHARD STEMPLE, :
POLICE OFFICER RICHARD ZADROGA, :
AND POLICE OFFICER JEFFERY NOWAK:

Defendants :

FILED

APR 06 2009

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

CIVIL ACTION

NO. 04-5780

VERDICT SHEET

ILLEGAL ENTRY

1. Do you find by a preponderance of the evidence that defendants, Officers Stemple, Zadroga and Nowak violated the Plaintiffs' Fourth Amendment rights ~~which~~ by entering plaintiffs' home on December 24, 2002 without a warrant and without exigent circumstances? *free*

YES _____

NO X

[If you answered "YES" to this question, proceed to Question #2. If you answered "NO" to this question, your deliberations are over and you can return to the courtroom.]

2. Did Plaintiffs prove by a preponderance of the evidence that they suffered

physical or emotional harm that was proximately caused by Defendants' violation of plaintiffs' constitutional rights?

YES _____

NO _____

[If you answered "YES" to question No.2, proceed to Question No. 3.

COMPENSATORY DAMAGES

3. What is the amount of money that will compensate the Plaintiffs for the damages they suffered , and what percentage of liability do you attribute to each defendant you have found liable for damages caused to either plaintiff?

Joseph T. Kubicki [father] \$ _____

Officer Richard Stemple ____%

Officer Richard Zadroga ____%

Officer Jeffrey Nowak ____%

Joseph Kubicki [son] \$ _____

Officer Richard Stemple ____%

Officer Richard Zadroga ____%

Officer Jeffrey Nowak ____%

[If you awarded any amount of money to either Plaintiff in Question 3, proceed to Question No. 5. If you did not award any amount of money in response to Question No. 3, proceed to question No. 4 and then to No. 5.]

NOMINAL DAMAGES

4. If you returned a verdict for either plaintiff, but that plaintiff has failed to prove compensatory damages, then you must award nominal damages of \$1.00. Indicate if you so award nominal damages.

Joseph T. Kubicki [father] \$ _____

Joseph Kubicki [son] \$ _____

PUNITIVE DAMAGES.

5. Do you find that either Plaintiff has established by a preponderance of the evidence that he is entitled to punitive damages as to any of the defendants? If so, indicate what amount you so award in punitive damages.

Joseph T. Kubicki [father]

Officer Richard Stemple \$ _____

Officer Richard Zadroga \$ _____

Officer Jeffrey Nowak \$ _____

Joseph Kubicki [son]

Officer Richard Stemple \$ _____

Officer Richard Zadroga \$ _____

Officer Jeffrey Nowak \$ _____

YOU HAVE NOW COMPLETED YOUR DELIBERATIONS. PLEASE SIGN AND DATE THIS FORM AND RETURN TO THE COURTROOM

DATE: March 25, 2009

BY: Patrick E. Lindner Foreperson
Patrick E. Lindner